

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JANIE ALINE PINKNEY, *et al.*,

Plaintiffs,

vs.

AMERICAN MEDICAL RESPONSE, INC., *et al.*,

Defendants.

Case No. 2:08-cv-01257-RLH-GWF

ORDER

Motion to Strike (#262)

This matter is before the Court on Defendants' Motion to Strike Plaintiff's Replies to Rory Chetelat and Stephen Minagil's Answers to Corrected Second Amended Complaint (#262), filed April 20, 2010; Plaintiff Jane Pinkney's Memorandum of Points and Authorities in Opposition and Response to Motion to Strike Plaintiff's Replies to Rory Chetelat and Stephen Minagil's Answers to Corrected Second Amended Complaint (#263), filed April 27, 2010; and Reply Points and Authorities Supporting Motion to Strike Plaintiff's Replies to Rory Chetelat and Stephen Minagil's Answers to Corrected Second Amended Complaint (#264), filed May 5, 2010.

Defendants request that the Court strike, as impermissible pleadings, Plaintiff's Replies (#253, 254)¹ to Defendant Chetelat and Minagil's Second Amended Answers. (#262). A reply to a defendant's answer is not a permissible pleading under Fed.R.Civ.P. 7. As a result, the Court finds good cause to grant Defendant Chetelat and Minagil's motion. In addition, the Court notes that Plaintiff also filed a Reply (#257) to American Medical Response's Answer to Corrected Second Amended Complaint (#247) and will *sua sponte* strike it as an invalid pleading. Accordingly,

¹ Plaintiff's Reply to Defendant Minagil's Answer (#254-1) is filed as an exhibit to a duplicate filing of Plaintiff's reply to Defendant Chetelat's Answer (#254, reproducing #253).

IT IS FURTHER ORDERED that the Court *sua sponte* strikes Plaintiff's Reply (#257) to American Medical Response's Answer to Corrected Second Amended Complaint. The Clerk of the Court shall strike from the record the following documents:

- DATED this 7th day of May, 2010.

GEORGE FOLEY, JR.
United States Magistrate Judge